



CITIZEN POLICE ADVISORY REVIEW BOARD MEETING NOTES

Chair Bottka-Smith called the regular meeting of the Citizen Police Advisory Review Board (CPARB) to order on Tuesday, January 20, 2004 at 5:35 p.m. in the Main Library, Lower Level Meeting Room, 101 N. Stone Avenue, Tucson, Arizona.

Commission Members	Representing	Present/Absent
Suzanne Elefante	Mayor	Present (departed at 06:33 PM)
Ida Wilber	Ward 1	Present
Elizabeth Bottka-Smith, Chair	Ward 2	Present
Vicki Ann Hart, Vice Chair	Ward 3	Present
Cynthia Schiesel	Ward 4	Present
Vacant	Ward 5	
William O. Wills	Ward 6	Present
Advisory Members		
Charles A. Lagattuta	CPARB	Present
Holli McGarry	CPARB	Present
Susan Thornton	CPARB	Present
Jeremy A. Tor	CPARB	Present
Ex-Officio Non-Voting Members		
Andrea Ibáñez	City Manager	Present (arrived at 6:27 PM)
Captain Bill Washington	TPD	Present
Officer Craig Kerlin	TPOA	Absent

Staff Present
Captain Sharon Allen, TPD
Captain Kevin Mayhew, TPD
Lt. Jim McShea, TPD
Lewis M. Anderson, City Attorney's Office
Liana Perez, Independent Police Auditor
Beverly Ginn, City Attorney's Office
Lisa Judge, Legal Advisor, TPD
Ceci Sotomayor, Recording Secretary
Visitors
Council Member Carol West, Ward Two
Dave Frost

AGENDA ITEM	MOTION	ACTION	FOLLOW-UP RESPONSIBILITY
1. Call to Order / Roll Call: 5:34 P.M.			
2. Council Member Carol West		<p>Chair Bottka-Smith introduced and welcomed Council Member Carol West from Ward Two.</p> <ul style="list-style-type: none"> Ms West feels that CPARB is a necessary function and appreciates the hard work of CPARB members. Ms West expressed that the biggest problem in her Ward are burglaries. Ms West would like to see the Neighborhood Watch program develop in her neighborhoods. Other problems in her Ward are traffic issues. Ms West noted that speeding, running red lights, theft and drugs have also increased in her Ward Ms West appreciates the representatives from the Police Department that attend her neighborhood meetings. 	
3. Introduction of New Advisory Members		Chair Bottka-Smith welcomed the new advisory members. Additionally, she welcomed new TPD representatives Capt Washington and Lt McShea. She asked that everyone in the room introduce themselves.	
4. Approval of Notes of 12/16/2003	MOTION by Ms. Elefante, seconded by Ms. Schiesel to approve the notes of 12/16/2003, passed by a voice vote of 5 to 0.		
5. Call to the Audience		Mr. Frost expressed his concern reference the service he received after his vehicle was burglarized in October 2003. He is not satisfied with the response and assistance he had from the Police. Chair Bottka-Smith asked Mr. Frost if he has filed a complaint with TPD or Ms. Perez. Mr. Frost expressed his opinion that filing a complaint would be a	

		<p>waste of his time and will not consider it. Chair Bottka-Smith asked for direction from Mr. Anderson on what the Board could do for Mr. Frost. Mr. Anderson iterated the Board's jurisdiction is to review completed investigations and since Mr. Frost has not filed a complaint, there is nothing the Board can do. Ms. Bottka-Smith asked Mr. Frost if he would be willing to file a complaint with CPARB. Mr. Frost declined to file a complaint. Chair Bottka-Smith asked Mr. Frost if he would like to speak to Lt. McShea. Mr. Frost rejected this option also.</p>	
<p>10. Office of Independent Police Auditor</p> <p>A) Monthly Contacts</p>		<p>Ms. Elefante requested to have this item taken out of order since she had to leave for an Alarm Response meeting.</p> <p>Ms. Elefante brought up the monthly allegation number 3151, which referenced Red Tagging. She took exception to the statement that "family gatherings" are exempt from red tagging or the noise ordinance. Ms. Perez clarified that the verbiage should have been that since the residents were compliant when asked to reduce the noise, they were not red tagged. Ms. Elefante felt the Red Tagging enforcement throughout the city is inconsistent and it appears to discriminate against young people. Captain Mayhew stated that officers do have discretion but always have good reason/justification for their steps and actions. Ms. Perez stated that some areas in the city have zero tolerance and do issue more red tags. The issue of red tagging has been an ongoing issue. Ms. Elefante asked this issue be put on a future agenda to allow for a thorough discussion.</p>	<p>TPD will re-address the issue of Red Tags at a future meeting.</p>
<p>6. HIPAA's affect on TPD</p>		<p>Beverly Ginn gave a presentation on HIPAA, The Health Insurance Portability and Accountability Act of 1996. HIPAA is a Federal Statute, regulating and limiting access to medical information. It applies to</p>	

		health care providers and processors of medical information. Law enforcement agencies are exempt. However, HIPAA has had an impact on TPD, mostly when asking for medical information. TPD has been working with other agencies and hospitals in the community to mitigate HIPAA's affects.	
7. Tucson Police Department A) TPD Updates B) Office of Internal Affairs		A) No reports or updates B) Lt. McShea took over the office of Internal Affairs on December 28, and has been familiarizing himself with policies and procedures of the office. He is currently coordinating the loading of the new software. Training on the software should begin this week.	
8. Comments to Mayor and City Council		Captain Allen handed out the received comments. They will be discussed at the February meeting.	
9. RECESS		Five minute recess taken.	
10. Office of Independent Police Auditor A) Monthly Contacts B) Community Outreach / Programs Update		A) Part of this item was already discussed. Chair Bottka-Smith asked about contact 3170 in reference to addressing issues that are older than six months old. Ms. Perez explained there is a 6-month cut-off unless the issue is particularly egregious and warrants a review. B) <ul style="list-style-type: none"> Ms. Perez was happy to see our new member Jeremy Tor as an addition to CPARB. She worked with him in the past on youth community outreach and feels he will be an asset the Board. Ms Perez thanked Ms. Hart for serving on a panel that interviewed applicants for a position in the EEO office. 	

13. Future Meetings and Agenda Items:		<ul style="list-style-type: none"> • Council Member Jose Ibarra will attend the February meeting. • Red Tag • February: Election of Officers 	
14. Report from the Chair / Announcements		<ul style="list-style-type: none"> • CPARB is on the January 26, 1:30 p.m., Mayor and Council Study Session agenda. M & C will review/discuss the Good Government Subcommittee's recommendations. The final vote will be taken at that evening's regular M & C meeting. • Council Member West informed us that starting in February, study sessions will begin at 12:30 and regular meetings will start at 5:00 PM. • TPD has invited all members to attend the next Employee Awards Ceremony, February 18th, 2004, 0930. Captain Mayhew also advised that the highest award "The Medal of Honor" would be presented to Officer Hardesty posthumously. • Chair Bottka-Smith has been aggressively working to get the Ward Five vacancy filled. • Chair Bottka-Smith distributed a pamphlet compiled by the Department of Justice on police department statistics. 	
15. Adjournment: - Time: 7:20 P.M.	Motion by Ms. Hart, seconded by Mr. Wills to adjourn. Passed by a voice vote of 4 to 0.		

Pursuant to Mayor and Council direction (Regular Session, September 15, 1975) the Committee's minutes are transcribed in a summary style format. Expanded versions of certain specific items, as determined by the Chairperson of the Committee, will be provided upon request. These summary minutes comply with the requirements of the State's Open Public Meeting Law.

Verbatim Tape Record on file in City Clerk's Office Available upon Request